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8 Attorneys for Defendants  
9 CITY AND COUNTY OF SAN FRANCISCO  
9 AND GEORGE BUTTERWORTH

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 JOHN TENNISON,

Case No. C 04-0574 CW

13 Plaintiff,

14 vs.  
15 **STIPULATION AND ~~PROPOSED~~  
16 ORDER EXTENDING BRIEFING AND  
17 HEARING SCHEDULE FOR  
18 MONELL-BASED SUMMARY  
19 JUDGMENT MOTION**

20 CITY AND COUNTY OF SAN  
21 FRANCISCO, SAN FRANCISCO POLICE  
22 DEPARTMENT, EARL SANDERS,  
23 NAPOLEON HENDRIX AND GEORGE  
24 BUTTERWORTH,

25 Defendants.

26  
27  
28

## RECITAL

The parties agree that there is good cause to postpone by four weeks the briefing and hearing schedule for the upcoming *Monell*-based summary judgment motion to allow the City to depose new witnesses and investigate new facts recently discovered by Tennison and disclosed for the first time to the City in Tennison's supplemental interrogatory responses served on August 15, 2005. The parties request that the Court adopt this stipulation as an order.

## **STIPULATION**

The parties stipulate to the following modified deadlines:

Opening brief due September 16, 2005

Opposition brief due September 30, 2005

Reply brief, if any, due October 7, 2005

The parties further stipulate that they will not seek a stay of any *Monell*-based motion in the event that the summary judgment motions heard on August 12, 2005, are decided and appealed before any *Monell*-based motion is heard on October 28, 2005, and decided. Instead, in the interests of economy, the parties stipulate that they will endeavor to ensure that all summary judgment motions scheduled to be heard on August 12 and October 28, 2005 are subject to the same schedule on appeal.

Dated: August 22, 2005

DENNIS J. HERRERA

**City Attorney**

JOANNE HOEPPER

**Chief Trial Deputy  
SHERIFF'S OFFICE**

**SHERRI SUKELAND KAISER**  
Deputy City Attorney

**Deputy City Attorney**

By:

**SHERRI SOKELAND KAISER**

Attorneys for Defendants

CCSF AND GEORGE BUTTERWORTH

1 Dated: \_\_\_\_\_

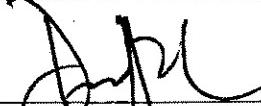
2 JAMES QUADRA, ESQ.  
3 MOSCONE, EMBLIDGE & QUADRA, LLP

4 By: \_\_\_\_\_

5 JAMES QUADRA  
6 Attorneys for Defendants EARL SANDERS and  
NAPOLEON HENDRIX

7 Dated: 8-22-05

8 DANIEL PURCELL, ESQ.  
9 KEKER & VAN NEST, LLP

10 By: 

11 DANIEL PURCELL  
12 Attorneys for Plaintiff JOHN TENNISON

13 Dated: \_\_\_\_\_

14 JOHN HOUSTON SCOTT, ESQ.  
15 THE SCOTT LAW FIRM

16 By: \_\_\_\_\_

17 JOHN HOUSTON SCOTT  
18 Attorneys for Plaintiff ANTOINE GOFF

19 **ORDER**

20 It is HEREBY ORDERED that the Court's case management deadlines are modified  
21 pursuant to the terms of the foregoing stipulation.

22 IT IS SO ORDERED.

23 Dated: \_\_\_\_\_

24  
25 THE HONORABLE CLAUDIA WILKEN  
26 UNITED STATES DISTRICT JUDGE

1 Dated: \_\_\_\_\_

2 JAMES QUADRA, ESQ.  
3 MOSCONE, EMBLIDGE & QUADRA, LLP

4 By: \_\_\_\_\_

5 JAMES QUADRA  
6 Attorneys for Defendants EARL SANDERS and  
NAPOLEON HENDRIX

7 Dated: \_\_\_\_\_

8 DANIEL PURCELL, ESQ.  
9 KEKER & VAN NEST, LLP

10 By: \_\_\_\_\_

11 DANIEL PURCELL  
12 Attorneys for Plaintiff JOHN TENNISON

13 Dated: 8/22/05

14 JOHN HOUSTON SCOTT, ESQ.  
15 THE SCOTT LAW FIRM

16 By:   
17 JOHN HOUSTON SCOTT  
18 Attorneys for Plaintiff ANTOINE GOFF

19  
20 ORDER

21 It is HEREBY ORDERED that the Court's case management deadlines are modified  
22 pursuant to the terms of the foregoing stipulation.

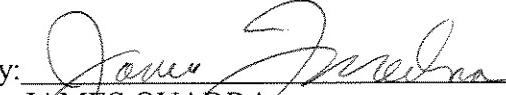
23 IT IS SO ORDERED.

24  
25 Dated:

26 \_\_\_\_\_  
27 THE HONORABLE CLAUDIA WILKEN  
28 UNITED STATES DISTRICT JUDGE

1 Dated: 8/23/05

2 JAMES QUADRA, ESQ.  
3 MOSCONE, EMBLIDGE & QUADRA, LLP

4 By:   
5 JAMES QUADRA  
6 Attorneys for Defendants EARL SANDERS and  
NAPOLEON HENDRIX

7 Dated: \_\_\_\_\_

8 DANIEL PURCELL, ESQ.  
9 KEKER & VAN NEST, LLP

10 By: \_\_\_\_\_  
11 DANIEL PURCELL  
12 Attorneys for Plaintiff JOHN TENNISON

13 Dated: \_\_\_\_\_

14 JOHN HOUSTON SCOTT, ESQ.  
15 THE SCOTT LAW FIRM

16 By: \_\_\_\_\_  
17 JOHN HOUSTON SCOTT  
18 Attorneys for Plaintiff ANTOINE GOFF

19 **ORDER**

20 It is HEREBY ORDERED that the Court's case management deadlines are modified  
21 pursuant to the terms of the foregoing stipulation. The FCMC is also continued to 10/28/05.

22 IT IS SO ORDERED.

23 Dated: 8/24/05

24 /s/ CLAUDIA WILKEN  
25 \_\_\_\_\_  
26 THE HONORABLE CLAUDIA WILKEN  
27 UNITED STATES DISTRICT JUDGE